

TWENTY-EIGHTH DAY

(Wednesday, March 2, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Lane	

Absent—Excused

Bell Bullock

A quorum was announced present.

The Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Kelly of Tarrant and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator Bullock was granted leave of absence for today on account of important business on motion of Senator Hudson.

Senator Bell was granted leave of absence for today on account of illness on motion of Senator Strauss.

Reports of Standing Committees

Senator Jones submitted the following reports:

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 81, have had same under consideration, and I am instructed to report it back to the

Senate with the recommendations that it do pass and be mimeographed.
JONES, Chairman.

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 241, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 90, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 318, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 308, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Senator Aikin submitted the following reports:

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State

Affairs, to whom was referred S. B. No. 172 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 265 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 291 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 95 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 68 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State

Affairs, to whom was referred H. B. No. 64 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 174 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 202 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 257 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 317 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 89, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 154, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LANE, Chairman.

Senator Carney submitted the following reports:

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 280, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 279, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 278, have had the same under consideration, and I am instructed to report it back to the

Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 277, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 310, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 1, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 309, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred House Bill No. 376, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred House Bill No. 414, have had the

same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred to the committees indicated:

By Senator Carney:

S. B. No. 319, A bill to be entitled "An Act to authorize the Board of Insurance Commissioners to approve, make or promulgate optional premium discount plans or other premium rating plans, systems, or formulas for Motor Vehicle and Workmen's Compensation and other lines of Casualty Insurance applicable separately to each class of insurance or in combination of two or more classes, which will properly take into account and give effect to the experience of individual risks, interstate as well as intrastate; amending Chapter 253, p. 373, Acts 1927, 40th Legislature; as amended by Chapter 335, p. 671, Acts 1937, 45th Legislature; (also known as Article 4682b, Vernon's Texas Statutes 1948) and amending also Article 4907, Acts 1923, p. 408, as amended; Article 4909, Acts 1923, p. 408; Article 4911, Acts 1923, p. 408; and Article 4912, Acts 1923, p. 408, as amended; providing that this Act shall be cumulative of existing laws, but repealing existing laws so far as same may be in conflict; and declaring an emergency."

To Committee on Insurance.

By Senator Hudson:

S. B. No. 320, A bill to be entitled "An Act validating the annexation of territory and the extension of the boundaries of all cities and towns incorporated under the General Laws and having a population of five thousand (5,000) inhabitants or less, according to the last preceding Federal Census; validating all areas, boundaries, elections, election orders, election proceedings, petitions and ordinances, annexing territory or extending and prescribing the corporate limits of any such city or town; providing that this Act shall not apply in cases where litigation affecting such annexation to or extension of boundaries is now pending; or which within one hundred (100) days after this bill becomes a law may become in-

volved in litigation; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Hudson:

S. B. No. 321, A bill to be entitled "An Act to amend Acts 1947, 50th Legislature, p. 563, ch. 327, Sec. 1, declaring an emergency, and repealing all laws or parts of laws in conflict herewith."

To Committee on Highways and Motor Traffic.

Senate Concurrent Resolution 22

Senator Ashley offered the following resolution:

S. C. R. No. 22, Authorizing Board of Control to dispose of confiscated cigarettes, unfit for use.

Whereas, Since the year 1931 the State Comptroller, under the provisions of the Cigarette Tax Law has by seizure from various people, accumulated 45½ cases of unstamped cigarettes, and cigarettes carrying counterfeit stamps, and

Whereas, It would be impracticable, if not impossible, to dispose of these cigarettes under the seizure provisions of the Cigarette Tax Law because of the fact that the cigarettes are worthless, unsalable and of no value whatsoever, and

Whereas, said cigarettes are now in storage and have been in storage since 1942 at a cost to the State of \$14.00 per month, and

Whereas, in order to stop the cost of storage, it is necessary that the cigarettes be destroyed, and

Whereas, the Comptroller desires to obtain authorization from the Legislature before destroying same, now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, that the State Comptroller be authorized, empowered, and directed to destroy said worthless cigarettes and file report of his action.

The resolution was read.

On motion of Senator Ashley and by unanimous consent, the resolution was considered immediately and was adopted.

Printing of Bills

On motion of Senator Proffer, Senators Aikin and Phillips were au-

thorized and instructed to arrange for the printing of all bills in the multi-graphing room of the Senate, as in their judgment is possible.

Messages from the House

Hall of the House of Representatives,
Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

The House has adopted the Conference Committee Report on House Bill No. 67 by a vote of 129 ayes, 0 noes.

The House has adopted the Conference Committee Report on House Bill No. 282 by a vote of 128 ayes, 0 noes.

H. C. R. No. 34, In memory of the Reverend Edwin Curtis Boynton.

The House has concurred in Senate amendments to House Bill No. 332, by vote of 125 ayes, 0 nays.

H. C. R. No. 33, Providing for the appointment of a committee to study the election laws of the State.

S. B. No. 65, A bill to be entitled "An Act relating to the County Court of Jefferson County At Law; amending Acts 1919, Chapter 27, Section 4, the same being Article 1970-114, Revised Civil Statutes of Texas, 1925, with reference to the terms of said Court; amending Acts 1919, Chapter 27, Section 5, same being Article 1970-115, Revised Civil Statutes of Texas, 1925, with reference to the election, tenure and qualifications of the Judge of said Court; amending Acts 1937, Chapter 377, Section 1, same being Article 1970-122, Revised Civil Statutes of Texas, 1925, with reference to the salary of the Judge of said Court; providing a saving clause; and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act approving and adopting the Pecos River Compact; authorizing the Governor to appoint a Commissioner to administer the provisions of the Compact; providing for the salary and necessary expenses of the Commissioner; appropriating for the ex-

penses of administering the Compact; and declaring an emergency."

S. B. No. 213, A bill to be entitled "An Act making an appropriation of Twelve Hundred Ninety-eight (\$1,298.00) Dollars to pay the salary of Ralph K. Gillen as Special Judge of the One Hundred and First District Court of Dallas County, Texas; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read first time and referred to the committees indicated:

H. B. No. 53, to Committee on Education.

H. B. No. 408, to Committee on Counties and County Boundaries.

H. C. R. No. 33, to Committee on Privileges and Elections.

House Bill 225 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 225, A bill to be entitled "An Act declaring it unlawful for any person to kill, take or have in his possession for the purpose of sale, in Shelby County, Texas, any wild fox, or the pelts thereof etc.; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

On motion of Senator Lane, the bill was laid on the table subject to call.

Motion to Place House Bill 166 on Second Reading

Senator Morris moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 166 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving the necessary four-fifths vote of the members of the Senate):

Yeas—23

Aikin
Ashley

Bracewell
Carney

Colson	McDonald
Corbin	Moffett
Hardeman	Morris
Harris	Phillips
Hudson	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Lane	Vick
Lock	Weinert
Martin	

Nays—3

Cousins	Moore
Kelly of Tarrant	

Absent

Hazlewood	Shofner
Proffer	

Absent—Excused

Bell	Bullock
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House Bill 151 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 151, A bill to be entitled "An Act providing means for owners of land in an incorporated city to remove said land from water district of which it is a part; removing water district taxes, charges and assessments from said land except proportionate part of bonded debt; providing for levy of tax each year until pro rata share of bonded debt is paid; authorizing city commission to submit to qualified voters of city question of assumption of bonded indebtedness of new territory; providing for payment of water district tax by city if election successful, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 151 on Third Reading

Senator Kelley of Hidalgo moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 151 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Carney
Ashley	Colson
Bracewell	Corbin

Cousins	Moore
Harris	Morris
Hudson	Phillips
Jones	Proffer
Kelley of Hidalgo	Shofner
Kelly of Tarrant	Strauss
Lane	Taylor
Lock	Tynan
Martin	Vick
Moffett	Weinert

Absent

Hardeman	McDonald
Hazlewood	

Absent—Excused

Bell	Bullock
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Hudson	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Weinert
Lock	

Absent

Harris	Hazlewood
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Absent—Excused

Bell	Bullock
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House Bill 331 on Second Reading

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 331, A bill to be entitled "An Act providing for the appointment of court interpreters in certain counties in certain judicial districts; providing for the payment of salaries to such interpreters, repealing all laws in conflict herewith and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 331 on Third Reading

Senator Kelley of Hidalgo moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 331 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Absent

Hazlewood

Absent—Excused

Bell

Bullock

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Weinert

Absent

Hazlewood

Absent—Excused

Bell

Bullock

Motion to Place Senate Bill 195 on Second Reading

Senator Phillips moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 195 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving the necessary four-fifths vote of the members of the Senate):

Yeas—24

Aikin	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Harris	Phillips
Hazlewood	Proffer
Hudson	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Lane	Vick
Lock	Weinert

Absent

Ashley	Kelly of Tarrant
Carney	Shofner
Hardeman	

Absent—Excused

Bell

Bullock

House Bill 154 on Second Reading

On motion of Senator Bracewell and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. B. No. 154, A bill to be entitled "An Act amending Article 5142-A, Revised Civil Statutes of Texas of 1925, as amended, providing for the appointment of a Chief Probation Officer and Assistant Probation Officers and fixing their terms of office; providing for the fixing of salaries and expenses of such officers and Probation Department; providing for a saving clause; repealing all laws or parts of laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 154 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 154 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Lane	Weinert

Absent

Harris	Shofner
Kelly of Tarrant	

Absent—Excused

Bell	Bullock
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Lane	Weinert

Absent

Kelly of Tarrant

Absent—Excused

Bell	Bullock
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Senate Bill 224 on Second Reading

Senator Moore moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be sus-

pended and that S. B. No. 224 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Lane	

Absent

Kelly of Tarrant	Shofner
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Absent—Excused

Bell	Bullock
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The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 224, A bill to be entitled "An Act to amend Subdivision 85 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 85th District Court in Robertson and Brazos Counties, constituting the 85th Judicial District, etc.; that all laws and parts of laws in conflict with this Act are repealed; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 224 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cousins
Ashley	Hardeman
Bracewell	Harris
Carney	Hazlewood
Colson	Hudson
Corbin	Jones

Kelley of Hidalgo	Morris
Kelly of Tarrant	Phillips
Lane	Proffer
Lock	Strauss
Martin	Taylor
McDonald	Tynan
Moffett	Vick
Moore	Weinert

Absent

Shofner

Absent—Excused

Bell

Bullock

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent

Shofner

Absent—Excused

Bell

Bullock

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 2, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 48, A bill to be entitled "An Act amending Article 4526 of Vernon's Revised Civil Statutes, 1925, repealing all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 252 on Second Reading

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 252, A bill to be entitled "An Act appropriating \$960,000.00 to the Board of Control for the use of various eleemosynary institutions during the balance of the fiscal year ending August 31, 1949, for food, medicine, clothing, and other contingent items, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 252 on Third Reading

Senator Taylor moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 252 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent

Shofner

Absent—Excused

Bell

Bullock

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Corbin
Ashley	Cousins
Bracewell	Hardeman
Carney	Harris
Colson	Hazlewood

Hudson	Moore
Jones	Morris
Kelley of Hidalgo	Phillips
Kelly of Tarrant	Proffer
Lane	Strauss
Lock	Taylor
Martin	Tynan
McDonald	Vick
Moffett	Weinert

Absent

Shofner

Absent—Excused

Bell

Bullock

Senate Bill 190 on Second Reading

Senator Hazlewood moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 190 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert
Lane	

Absent

Kelley of Hidalgo Shofner

Absent—Excused

Bell

Bullock

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 190, A bill to be entitled "An Act authorizing Junior College districts to issue refunding bonds; prescribing the method of issuing such bonds; requiring approval thereof by the Attorney General and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 190 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 190 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Lane	

Absent

Hardeman Shofner

Absent—Excused

Bell

Bullock

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent

Moore Shofner

Absent—Excused

Bell

Bullock

Senate Bill 196 on Second Reading

Senator Phillips moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 196 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent

Moore	Shofner
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Absent—Excused

Bell	Bullock
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The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 196, A bill to be entitled "An Act to amend Section 1 of Article 5139 of the Revised Civil Statutes of Texas of 1925, as amended by Act of the 49th Legislature, Chapter 268, Page 422, as amended by Act of 50th Legislature, Chapter 326, Page 560, so as to provide for county juvenile boards in counties which comprise a part of two judicial districts, each of which districts consists of four and the same four counties, and which four counties have a combined population of not less than 116,000 according to the last preceding Federal Census; providing for additional salaries for their members; providing a saving clause, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 196 on Third Reading

Senator Phillips moved that the constitutional rule requiring bills to be read on three several days be sus-

pended and that S. B. No. 196 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent

Shofner

Absent—Excused

Bell	Bullock
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Lane	

Absent

Cousins	Shofner
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Absent—Excused

Bell	Bullock
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House Bill 166 on Second Reading

Senator Morris moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 166 be

taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent

Harris	Shofner
Moore	

Absent—Excused

Bell	Bullock
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The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 166, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 50th Legislature, pertaining to the Texas Municipal Retirement System; and providing for the lending of not in excess of \$50,000 to said System from the General Revenue Fund of the State of Texas, and making an appropriation therefor; and for repayment by the System of such advancement; declaring the Act to be severable; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 166 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Corbin
Ashley	Cousins
Bracewell	Hardeman
Carney	Harris
Colson	Hazlewood

Hudson	Morris
Jones	Phillips
Kelley of Hidalgo	Proffer
Kelly of Tarrant	Strauss
Lane	Taylor
Lock	Tynan
Martin	Vick
McDonald	Weinert
Moffett	

Absent

Moore	Shofner
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Absent—Excused

Bell	Bullock
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The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bracewell	Martin
Carney	McDonald
Colson	Moffett
Corbin	Moore
Cousins	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent

Shofner

Absent—Excused

Bell	Bullock
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Bill and Resolution Signed

The President pro tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bill and resolution:

S. C. R. No. 16, Granting the District Judges permission to leave the State.

S. B. No. 48, A bill to be entitled "An Act amending Article 4526 of Vernon's Revised Civil Statutes, 1925, repealing all laws in conflict herewith, and declaring an emergency."

Adjournment

On motion of Senator Weinert, the Senate at 12:00 o'clock m., adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of

Reverend Edwin Curtis Boynton

The President pro tempore laid before the Senate for consideration at this time, the following resolution:

(House Concurrent Resolution 34)

Whereas, God in his infinite wisdom did on the 28th day of February, 1949, call from his earthly home the Reverend Edwin Curtis Boynton of Huntsville, Walker County, Texas, and did leave a vacancy in the hearts of many; and

Whereas, He is survived by his wife, Mrs. Alice L. Boynton; and one son, Dr. Paul Boynton, President of Stephen F. Austin State Teachers College, Nacogdoches, Texas; and two grandchildren, Edwin Curry Boynton and Paulann Boynton; and

Whereas, He was born February 6, 1871, in Millersburg, Kentucky, son of Julius Nelson Boynton, and came to Texas in early childhood and for fifty years was connected with the First Christian Church of Huntsville. He has been pastor of Texas Christian University Church of Fort Worth and other churches in Seymour and Belton, Texas. He was conferred a Doctor of Divinity Degree by Texas Christian University on June 1, 1936. He was a charter member of the Huntsville Rotary Club and was for many years on the Board of Trustees of Juliette Fowler Home for Orphans and Aged in Dallas, Texas. He was one of the first members of the Board of Directors of Huntsville, Walker County Memorial Hospital. He was at one time State Prelate of Knights Templar of Texas. He was once director of the Huntsville Chamber of Commerce. He worked under the National War Council of the YMCA during World War I and was teacher, counselor, and adviser. He directed numerous young people conferences in connection with Christian churches throughout the Southwest for many years. For the last several years he has been Pastor Emeritus of the First Christian Church of Huntsville and looked upon by the people of Huntsville as their Pastor. He was chairman for many years of the Huntsville Chapter of the American Red Cross. He was always interested in the community in which he resided. He actively took part in all churches, schools, and in everything that would better the community in which he lived; and

Whereas, He fought as vigorously for the things he believed in as he fought against those things that he felt were harmful, truly it can be said of Edward Curtis Boynton, "He has fought a good fight; he found his course; he has kept the faith." Now therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we express to the bereaved family and many friends our sorrow over the passing of this beloved citizen; and, be it further

Resolved, That when the House and Senate adjourn today, they do so in solemn memory of the late Honorable Edward Curtis Boynton and that copies of this Resolution be sent to members of the family.

The resolution was read and was adopted.